

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

Food Lion, LLC., et al.

V.

Cadbury Adams Canada, Inc., et al.

SUMMONS IN A CIVIL ACTION

CASE NUMBER:

08 CV 03045

TO: (Name and address of Defendant)

Nestle USA
800 North Brand Boulevard
Glendale, CA 91203

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Torsten M. Kracht
Akin Gump Strauss Hauer & Feld LLP
1333 New Hampshire Avenue, N.W.
Washington, DC 20036

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

MAR 25 2008


CLERK

Salecia Curtis

DATE

(By) DEPUTY CLERK

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RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE 04/04/08 03:35pm	
NAME OF SERVER (PRINT) Carlos Canas	TITLE Process Server	
<i>Check one box below to indicate appropriate method of service</i>		
<input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: <input type="checkbox"/> Returned unexecuted: <input checked="" type="checkbox"/> Other (specify): by serving Angela Bailey, Agent for Service, Authorized to accept. Service was completed at 800 N. Brand Boulevard, Glendale, CA 91203		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL 0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on <u>04/07/08</u> Date</p> <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="text-align: center;"> <p><i>Signature of Server</i></p>  </div> <div style="text-align: center;"> <p>Capitol Process Services, Inc. 1827 18th Street, NW Washington, DC 20009</p> </div> </div> <p><i>Address of Server</i></p>		
<p>* Rule 7.1 Statement, Motion to Admit Counsel Pro Hac Vice, Order Scheduling Initial Pretrial Conference</p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.